

Order

Michigan Supreme Court
Lansing, Michigan

April 11, 2007

130896 & (45)

THERON E. HUGHES,
Plaintiff-Appellee,

v

ARTHUR TIMKO,
Defendant-Appellant.

Clifford W. Taylor,
Chief Justice

Michael F. Cavanagh
Elizabeth A. Weaver
Marilyn Kelly
Maura D. Corrigan
Robert P. Young, Jr.
Stephen J. Markman,
Justices

SC: 130896
COA: 255229
Washtenaw CC: 03-000598-NZ

On order of the Court, the motion for leave to file a brief amicus curiae is GRANTED. The application for leave to appeal the February 28, 2006 judgment of the Court of Appeals is considered and, pursuant to MCR 7.302(G)(1), in lieu of granting leave to appeal, we VACATE the February 28, 2006 judgment of the Court of Appeals and we REMAND this case to the Court of Appeals for reconsideration in light of *Garcetti v Ceballos*, 547 US ____; 126 S Ct 1951; 164 L Ed 2d 689 (2006).

We do not retain jurisdiction.



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I, Corbin R. Davis, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

April 11, 2007

Clerk